

South Spoils Yard

City of Seattle Response to Request for Information Regarding the Harbor Island Superfund Site, East Waterway Operating Unit

D. QUESTIONS

1. Identification and Association with Subject Property

- a. Provide the full legal name and mailing address of Respondent.

City of Seattle
c/o William Devereaux
Director, Environmental Management and Real Estate Division
Seattle City Light
700 5th Avenue, Suite 3316
P.O. Box 34023
Seattle, Washington 98124-4023

- b. For each person answering these questions on behalf of Respondent, provide that person's:

- i. full name;
- ii. title;
- iii. business address and electronic mail address; and
- iv. business telephone number.

Jo Bruskotter
Senior Paralegal, Environment Protection
Seattle City Attorney's Office
701 Fifth Avenue, Suite 2050
Seattle, WA 98104-7095
206-233-2152

- c. If Respondent wishes to designate an individual for receiving future correspondence from the EPA concerning the EWOU, please indicate so here by providing that individual's name, mailing address, electronic mail address, telephone number, and fax number.

Pete Rude
Senior Sediment Scientist
Seattle Public Utilities
700 5th Avenue, Suite 4900
Seattle, WA 98104-4018
pete.rude@seattle.gov
Fax: 206-684-4631

- d. Provide the address of each Subject Property, the time period when Respondent held any ownership or other interest in the Subject Property, and the type of interest held.

The South Spoils Yard site is located at 3626 Airport Way South, with an alternate address of 820 South Charlestown Street. The subject property is made up of four King County tax parcels: 7886100917, 7886100915, 7886100916 and 7886101010.¹ The City purchased the four parcels in 2020.²

- e. Identify all materials used or created by Respondent's activities or operations at each Subject Property.

No materials are created at the South Spoils Yard. See the response to 1.h regarding activities at the site.

- f. Provide copies of all documents regarding the ownership or environmental conditions of the Subject Property, including, but not limited to, deeds, sales contracts, leases, surveys, investigations, sampling, reports, blueprints, "as-builts," and photographs.

Responsive documents have been produced and indexed.

- g. Provide information on the condition of the Subject Property when purchased or at the beginning of the relevant time period; describe the source, volume, and content of any fill used during the construction of the buildings, including waterside structures such as seawalls, wharves, docks, or marine ways.

At the time the City acquired it and at the present the property is a light industrial site, covered with a mixture of asphalt, concrete and gravel.³ It includes an equipment yard, a Quonset hut and a one-story metal warehouse.⁴ Abandoned rail tracks run through the central area of the property.⁵ A portion of the site is below an overpass and contains an emergency pedestrian exit from the roadway.⁶

A 2019 environmental assessment of the site states that a storage yard containing "many forklifts" occupied part of the property, and the rail line area was covered with "dense vegetation."⁷

¹ SEA EWW_00020414, at SEA EWW_00020434 (21), Phase 1 ESA, 2019.

² SEA EWW_00009857, at SEA EWW_00009861 (5), Deed from BNSF to City, 2020; SEA EWW_00009867, at SEA EWW_00009868 (2), South Spoils Yard deeds.

³ SEA EWW_00021297, at SEA EWW_00021361 (65), Options Analysis Report, 2021.

⁴ SEA EWW_00020414, at SEA EWW_00020420, 434 (7, 21), Phase 1 ESA, 2019.

⁵ SEA EWW_00021463, at SEA EWW_000214507, 512 (45, 50), Appraisal BNSF, 2019.

⁶ SEA EWW_00021463, at SEA EWW_000214508 (46), Appraisal BNSF, 2019; SEA EWW_00021297, at SEA EWW_00021302 (6), Options Analysis Report, 2021.

⁷ SEA EWW_00020414, at SEA EWW_00020428 (15), Phase 1 ESA, 2019.

Borehole drilling at the site in 2019 encountered “predominantly shallow fill” above silt deposits.⁸ The fill consisted of brick, rocks, sand, gravel and wood.⁹

- h. Describe the activities or operations at each Subject Property including:
 - i. the date such activities or operations commenced and concluded; and

See the response to h.ii below.

- ii. the types of activities or operations performed at each Subject Property, including but not limited to the use, storage, or disposal of any materials in an outdoor location.

The City acquired the site to develop it as a spoils yard for the Water Operations division of Seattle Public Utilities, but development has not yet commenced.

Two tenants continued to use the Quonset hut and surrounding yard for storage of machinery and equipment after the City acquired the property in 2020. One tenant vacated the property in November 2021, and the other will vacate by the end of March 2022.¹⁰ See also the response to 1.q. Ecology blocks were stored on a portion of the site when the City acquired it but have since been removed.

- i. Describe each release of materials at or from a Subject Property, including the type and quantity of the materials, the location of the release, the impacted media, and the response.

The City has no record of spills occurring on the site since it was acquired in 2020.

2019 sampling conducted on behalf of the City included a grab sample from a “large oil spill observed on the soil surface at the rear of the lot.”¹¹ See the response to 1.o for more information.

In 2017, a City Light overhead (pole top) transformer at the 820 South Charlestown Street address overheated and leaked one quart to five gallons of vegetable oil onto asphalt, soil and gravel.¹² No drains were affected, and the impacted area was cleaned.¹³

- j. Provide information on past dredging or future planned dredging in the EWOU.

The City did not dredge or arrange to have dredged any part of the East Waterway in association with the South Spoils Yard.

⁸ SEA EWW_00022146, at SEA EWW_00022149 (4), Phase II ESA, 2019.

⁹ SEA EWW_00022146, at SEA EWW_00022149 (4), Phase II ESA, 2019.

¹⁰ SEA EWW_00023373 (1), Roach Lease Extension Amendment 2, 2022.

¹¹ SEA EWW_00022146, at SEA EWW_00022150 (5), Phase II ESA, 2019.

¹² SEA EWW_00021416-all, 820 S Charlestown spill, 2017.

¹³ SEA EWW_00021416, at SEA EWW_00021417 (2), 820 S Charlestown spill, 2017.

- k. Provide all documents pertaining to the use, storage, or disposal of any hazardous substances, pollutants, or contaminants at the Subject Property.

Responsive documents have been produced and indexed. The City is not aware of the storage, use or disposal of any hazardous substances during its ownership of the subject property. See also the response to 1.o.

- l. Provide all information on electrical equipment used at the Subject Property, including transformers or other electrical equipment that may have contained polychlorinated biphenyls (PCBs).

Other than the pole top transformer described in the response to Question 1.i, the City found no information or records in its files or equipment database regarding electrical equipment on or at the South Spoils Yard property. Major electrical equipment has not been in use during the City's ownership of the site.

- m. Provide information on the type(s) of oils or fluids used for lubrication of machinery or other industrial purposes, and any other chemicals or products which are or may contain hazardous substances, pollutants, or contaminants which are or were used at the Subject Property.

The City is not aware of any oils or other hazardous substances used at the site during the relevant time period. Sampling conducted on behalf of the City prior to acquisition of the property included one from a "large oil spill observed on the soil surface at the rear of the lot."¹⁴ See the response to 1.o for more information.

- n. Provide any Subject Property drainage descriptions plans or maps that include information about storm drainage which includes, but is not limited to, above or below surface piping, ditches, catch basins, manholes, and treatment/detention or related structures including outfalls. If available, also include information about connections to each sanitary sewer.

The South Spoils Yard property does not drain to the East Waterway. There are few catch basins on the site, but stormwater draining through engineered structures connects to a combined system that eventually discharges at the Diagonal CSO outfall in the Lower Duwamish Waterway.¹⁵ Two sanitary side sewers on the property discharge to combined lines on South Charlestown Street or Airport Way South.¹⁶ The sanitary lines eventually connect to the King County interceptor near the Duwamish pump station south of Spokane Street.¹⁷

¹⁴ SEA EWW_00022146, at SEA EWW_00022150 (5), Phase II ESA, 2019.

¹⁵ SEA EWW_00020328-all, M&R Equipment drainage map & aerial, 2003, 2015; SEA EWW_00023518, SS Card 3179-18 Front; SEA EWW_00023564, SS Card 3669-1 Front.

¹⁶ SEA EWW_00021297, at SEA EWW_00021362 (66), Options Analysis Report, 2021; SEA EWW_00023518, SS Card 3179-18 Front; SEA EWW_00023564, SS Card 3669-1 Front.

¹⁷ SEA EWW_00020328-all, M&R Equipment drainage map & aerial, 2003, 2015.

- o. With respect to past activities or operations at each Subject Property, provide copies of any stormwater or drainage studies, including data from sampling, conducted at the Subject Property. Also provide copies of any Stormwater Pollution Prevention or Maintenance Plans or Spill Plans that may have been developed for different operations during Respondent's occupation of the Subject Property.

Responsive documents have been produced and indexed.

Soil and groundwater sampling was conducted in 2019, prior to the City's acquisition of the property.¹⁸ TCE was found above MTCA Method A cleanup levels for soil in one of nine boreholes.¹⁹ Total arsenic above MTCA Method A cleanup levels was detected in four boreholes, however, groundwater from only one borehole was above cleanup levels when the samples were analyzed for dissolved phase contaminants.²⁰ A surface grab sample from an oil spill and one groundwater sample returned diesel and oil-range TPH above cleanup levels.²¹

- p. Describe each underground storage tank present at any time on a Subject Property, including but not limited to the size and location of the tank, the materials stored in the tank, the time period of use, whether any material leaked from the tank, the type and quantity of leaked material, and the response to the leaked material.

The City is not aware of any underground storage tanks on the property, and the site is not listed in the Department of Ecology's Regulated UST database.²²

- q. Provide the names and last known address of any tenants or lessees, the dates of their tenancy and a description of the activities or operations they conducted while present at the Subject Property.

1) John Roach, as owner of M & R Equipment
3626 Airport Way South
Seattle, WA 98108
Tenancy: 8/1/2020-3/31/2022²³
Operations: sales office and outdoor equipment and machinery storage²⁴

2) Gabriel Christopher Shulman, dba Sage & Stone

¹⁸ SEA EWW_00022146, at SEA EWW_00022149 (4), Phase II ESA, 2019.

¹⁹ SEA EWW_00022146, at SEA EWW_00022150 (5), Phase II ESA, 2019.

²⁰ SEA EWW_00022146, at SEA EWW_00022151 (6), Phase II ESA, 2019.

²¹ SEA EWW_00022146, at SEA EWW_00022150, 151 (5, 6), Phase II ESA, 2019.

²² Ecology UST database, at [Regulated USTs, Active & Inactive Facilities \(wa.gov\)](https://www.ecy.wa.gov/Programs/RegulatedUSTs/ActiveInactiveFacilities), accessed 2/18//2022.

²³ SEA EWW_00023373-all, Roach Lease Extension Amendment 2, 2022.

²⁴ SEA EWW_00023400, at SEA EWW_00023400, 417 (1, 18) Roach Lease Back, 2020.

(b) (6)

Bainbridge Island, WA 98110

Tenancy: 8/1/2020-12/31/2021 (vacated 11/2021)²⁵

Operations: equipment storage²⁶

- r. If Respondent, its parent corporation, subsidiaries or other related or associated companies have filed for bankruptcy, provide:
- i. the U.S. Bankruptcy Court in which the petition was filed;
 - ii. the docket numbers of such petition;
 - iii. the date the bankruptcy petition was filed;
 - iv. whether the petition is under Chapter 7 (liquidation), Chapter 11 (reorganization), or other provision; and
 - v. a description of the current status of the petition.

The Respondent, City of Seattle, has not filed for Bankruptcy.

- s. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous substances, pollutants, or contaminants, or transportation of hazardous substances, pollutants, or contaminants to or from, the Subject Property.

John Ovitt

Facilities Strategic Advisor

Seattle Public Utilities

206-684-5875

Shab Zand

Environmental Advisor

Seattle Public Utilities

206-233-5172

²⁵ SEA EWW_00023449, at SEA EWW_00023463 (15), Sage & Stone Lease, 2020; SEA EWW_00023422-all, Sage & Stone Lease Extension, 2021; Pers. Comm. w/R. Gambill, 2/15/2022.

²⁶ Pers. Comm. w/R. Gambill, 2/15/2022.